



DOCKET NO.: M0925.70108US00

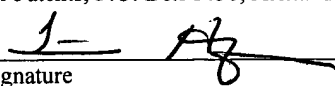
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yet-Ming Chiang et al.
Serial No.: 10/021,740
Confirmation No.: 1110
Filed: October 22, 2001
For: RETICULATED AND CONTROLLED POROSITY
BATTERY STRUCTURES

Examiner: John S. Maples
Art Unit: 1745

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15 day of June, 2005.


Signature

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

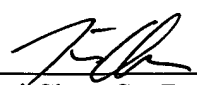
- ☒ [X] Petition for Three Month Extension of Time
- ☒ [X] Response to Office Action dated 12/29/04
- ☒ [X] Information Disclosure Statement
- ☒ [X] Form 1449 with copies of references
- ☒ [X] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check for \$1,200.00 is enclosed to cover the Three Month Extension of Time and Information Disclosure Statement. If the amount is insufficient, the balance may be charged to Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:


Tani Chen, Sc. D., Reg. No. 52,728
Timothy J. Oyer, Ph.D., Reg. No. 36,628
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Docket No.: M0925.70108US00
Date: June 15, 2005
x06/29/05x



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June 15, 2005

Alan Gordon
Technology Licensing Officer
Massachusetts Institute of Technology
Technology Licensing Office
Room NE25-230
5 Cambridge Center, Kendall Square
Cambridge, MA 02142-1493

Re: U.S. Patent Application Serial No.: 10/021,740, filed 10/22/01
Title: RETICULATED AND CONTROLLED POROSITY BATTERY
STRUCTURES
Inventor(s): Yet-Ming Chiang et al.
MIT Case No.: 8700; WGS Case No.: M0925.70108US00

Dear Alan:

Enclosed is a copy of Response, which includes the current status of all claims subsequent to the response, and an Information Disclosure Statement filed today in the U.S. Patent Office in connection with this application. Copies of references cited to the Patent Office are not enclosed. If you require copies of any, please advise. We will inform you when we hear again from the Patent Office.

If you or anyone else involved in this project are aware of any additional references or activities that should be cited, please let us know. Details of the Patent Office duty of disclosure are attached. Please feel free to call with any questions as to whether or not particular information may be required to be disclosed to the U.S. Patent Office.

We will inform you when we hear again from the Patent Office.

Very truly yours,

WOLF, GREENFIELD & SACKS, P.C.

Timothy J. Oyer, Ph.D.
Tani Chen, Sc.D.

TJO/TC/tmh

Enclosure

cc: Dr. Gilbert Neal Riley (w/ encl.), Prof. Yet-Ming Chiang (w/ encl.), Mr. Benjamin Hellweg (w/ encl.)
906468.1

Alan Gordon
June 15, 2005
Page 2

The Patent Office Duty of Disclosure

Each individual associated with the filing and prosecution of a patent application has a duty to disclose to the Patent Office pertinent prior art of which he/she is aware. Pertinent prior art is defined as all information known to be material to the patentability of any pending claim in a patent application.

Information is “material to patentability” if:

- (1) it could be considered, by itself or in combination with other information, to render any claim in the application unpatentable, or
- (2) it refutes or is inconsistent with a position that we take in the application or in any statement that we make to the Patent Office during prosecution.

That is, what is required in an Information Disclosure Statement is prior art that describes the invention of the relevant patent application, prior art that, by itself or in combination with any other piece or pieces of prior art, would make the invention obvious to one of ordinary skill in the art, and prior art that takes a position contrary to one that we take.

“Prior art” includes any public use or commercial activity occurring in the United States more than one year prior to the filing date of the application, any publications printed anywhere in the world bearing a publication date (including the issue date of U.S. patents) more than one year prior to the filing date of the application, and issued U.S. patents bearing a filing date prior to the filing date of the application. Additionally, if the invention was known or used by others in this country, or patented or described in a printed publication in the United States or a foreign country before the invention was made by the inventors, the activity or publication constitutes prior art.

It is important to note that the duty of disclosure continues so long as the application is pending in the Patent Office. Therefore, please continue to advise us of information that could be relevant prior art as it comes to your attention.